

REMARKS

Claims 24-28, 30-45 and 51-57 are currently pending in the application. Applicant thanks the Examiner for deeming claims 55-57 to be allowable if rewritten in independent form. Office Action at page 6 under “Claim Objections.” Applicant notes with appreciation that the Examiner has deemed claims 55-57 to be allowable if rewritten in independent form. Claims 55-57 are rewritten herein to incorporate the limitations of the base claim, claim 24, and any intervening claim. Solely to facilitate allowance of amended claims 55-57, claims 24-28, 30-45 and 51-54 are canceled herein without prejudice to Applicant’s right to pursue the subject matter of these claims in a related application. New claims 58 and 59 are added. Support for new claims 58 and 59 is found at least in previous claims 52, 53 and 55, and in the specification at page 3, lines 21 to page 4, line 11, and page 28. No new matter is added by new claims 58 and 59. Because the Examiner has already conducted a search on the subject matter of amended claims 55-57 and deemed them allowable, and the subject matter of new claims 58 and 59, no new search of the art is necessary.

Attorney Docket Number

The Attorney Docket Number for this application has been amended from 011307 to 9516-101-999. Please note the change.

The Rejections Under 35 U.S.C. § 102 Should Be Withdrawn

The Examiner has rejected claims 24-28, 30-37, 40-45, 51, 52 and 54 under 35 U.S.C. 102(b) as allegedly anticipated by Naughton *et al.*, U.S. Patent No. 5,962,325 (“Naughton”). Office Action at pages 3-4. Without conceding the propriety of the Examiner’s basis of rejection, and solely to facilitate allowance of claims 55-57, Applicant has canceled claims 24-28, 30, 37, 40-45, 51, 52 and 54 herein, thus mooted the Examiner’s rejection. Applicant therefore respectfully requests that the Examiner withdraw the rejection of the claims on this basis.

The Examiner has rejected claims 24-27, 30, 32-37, 40-45, 51, 52 and 54 under 35 U.S.C. 102(e) as allegedly anticipated by Dodnar, U.S. Patent No. 6,800,480 (“Dodnar”). Office Action at page 4. Without conceding the propriety of the Examiner’s basis of rejection, and solely to facilitate allowance of claims 55-57, Applicant has canceled claims 24-28, 30, 37, 40-45, 51, 52 and 54 herein, thus mooted the Examiner’s rejection. Applicant therefore respectfully requests that the Examiner withdraw the rejection of the claims on this basis.

The Rejection Under 35 U.S.C. § 103 Should Be Withdrawn

The Examiner has rejected claim 31 as obvious over Dodnar in view of Pykett *et al.* (U.S. Patent No. 6,548,299; “Pykett”). Office Action at page 5. Without conceding the propriety of the Examiner’s basis of rejection, and solely to facilitate allowance of claims 55-57, Applicant has canceled claim 31 herein, thus mooting the Examiner’s rejection. Applicant therefore respectfully requests that the Examiner withdraw the rejection of the claims on this basis.

The Examiner has rejected claims 38-40 as obvious over Dodnar or Naughton in view of Goldstein *et al.*, U.S. Patent No. 5,899,936 and Atala, U.S. Patent No. 6,753,181. Office Action at pages 5-6. Without conceding the propriety of the Examiner’s basis of rejection, and solely to facilitate allowance of claims 55-57, Applicant has canceled claims 38-40 herein, thus mooting the Examiner’s rejection. Applicant therefore respectfully requests that the Examiner withdraw the rejection of the claims on this basis.

The Objections to the Claims Should Be Removed

The Examiner states that “[c]laims 55-57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form . . .” Office Action at page 6. Applicant has rewritten claims 55-57 in independent form to incorporate the limitations of claim 24, from which claims 55-57 ultimately depend, and any intervening claims. Applicant therefore respectfully requests that the Examiner withdraw the objections to claims 55-57.

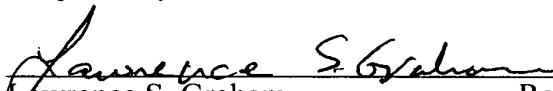
CONCLUSION

Applicant respectfully requests that the above remarks and accompanying documents be entered in the present application file. Because the only claims remaining in the application are those that the Examiner has deemed to be allowable, an early allowance of the present application is respectfully requested. No fee is believed due in connection with this Amendment. However, if any fee is deemed to be due, please charge such fee to Jones Day Deposit Account No. 503013.

Respectfully submitted,

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